

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION**

PARENTS DEFENDING EDUCATION.,)
PLAINTIFF,)
v.)
LINN-MAR COMMUNITY SCHOOL) Case No. 1:22-CV-78-CJW-MAR
DISTRICT, *et al.*,) Unopposed Motion for Leave to File as *Amici*
DEFENDANTS.) *Curiae* in Opposition to Plaintiff's Motion for
Preliminary Injunction

COME NOW One Iowa and Iowa Safe Schools (“*amici*”) and respectfully move for leave to file an *amicus curiae* brief in opposition to Plaintiff’s motion for a preliminary injunction, stating the following in support thereof:

1. *Amici* work to advance, empower, and improve the lives of LGBTQ Iowans, including transgender and gender-nonconforming (“TGNC”) children and their families. As part of their missions, *amici* are committed to ensuring that TGNC children and young people have access to full educational, social, economic, and other opportunities, and that their mental and physical wellbeing is protected. Schools play a crucial role in TGNC young people’s lives.
2. One Iowa is a statewide LGBTQ advocacy organization whose mission is to advance, empower, and improve the lives of LGBTQ Iowans. As part of its mission One Iowa is committed to ensuring that transgender youth have the resources and policies in place that they need to thrive. Transgender youth and their families are involved in every part of One Iowa's organization from volunteers all the way to board members. One Iowa

works alongside transgender youth to advocate for their health, safety, and inclusion whether in school or at the statehouse. In this capacity it has heard countless times how policies like the Linn-Marr policy in question are necessary to mitigate serious harms that would otherwise be caused by bullying, exclusion, and harassment.

3. The mission of Iowa Safe Schools is to provide safe, supportive, and nurturing learning environments and communities for LGBTQ and allied youth through education, outreach, advocacy, and direct services. Iowa Safe Schools provides comprehensive support, victim services, resources, and events for LGBTQ and Allied youth. Serving over 4,500 youth annually, Iowa Safe Schools is the largest LGBTQ youth serving organization in the Midwest. Some of the services, resources, and events it offers include training and professional development of educators, maintaining a library of LGBTQ affirming resources, bullying intervention services, the Governor's Conference on LGBTQ Youth, assisting the Gay Straight Alliance network in Iowa, and safety planning and referrals.
4. Both organizations are nonpartisan and not-for-profit.
5. Drawing on their experience and expertise in this field, *amici* seek to provide this Court a broad and empirically grounded view of the landscape of TGNC youths' lives, the challenges many of them face, and the critical importance of policies that protect TGNC students' ability to be themselves and live authentically at school and in all aspects of their lives. *Amici* also seeks to provide the Court with legal analysis showing that appropriate anti-bullying and harassment policies protecting transgender students' equal protection and civil rights are not a facial violation of the First Amendment.
6. Undersigned counsel has conferred with counsel for all parties, who do not oppose this motion.

7. This brief was authored by proposed Amici and their counsel. No party's counsel authored the brief in whole or in part, no party or party's counsel contributed money intended to fund this brief, and no person other than Amici and their counsel contributed money intended to fund this brief. This brief was prepared *pro bono publico*.
8. The proposed brief is attached as Exhibit A to this motion.

Dated: September 6, 2022

Respectfully submitted:



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**Pro hac vice application forthcoming*

Attorneys for *Amici Curiae*

CERTIFICATE OF SERVICE

I certify that on September 6, 2022, the above motion was filed using the court's CM/ECF system, which will notify all registered counsel.

Dated: September 6, 2022

Respectfully submitted,
/s/Rita Bettis Austen
Counsel for *Amici*